

## **FACT SHEET**

### **FINAL RULE DETERMINING WIDESPREAD USE OF ONBOARD REFUELING VAPOR RECOVERY AND WAIVER OF STAGE II REQUIREMENTS**

#### **ACTION**

- On May 9, 2012, the U.S. Environmental Protection Agency (EPA) determined that the use of onboard refueling vapor recovery (ORVR) for capturing gasoline vapor when gasoline-powered vehicles are refueled is in widespread use throughout the highway motor vehicle fleet.
- EPA also is waiving the requirement that current and former ozone nonattainment areas classified Serious and above must implement Stage II vapor recovery systems on gasoline pumps. Given the widespread use of ORVR, Stage II control systems now provide increasingly less air pollution reduction beyond what is provided by ORVR and therefore are increasing less cost-effective.
- Both ORVR and Stage II vapor recovery are systems that capture gasoline emissions that would otherwise be emitted into the air. Gasoline-rich vapors in an empty automobile fuel tank are forced out when liquid gasoline is pumped into the tank. Stage II vapor recovery systems capture these vapors at the gasoline pump nozzle and carry them back into the underground storage tank at the service station. ORVR systems are carbon canisters installed in automobiles to capture gasoline vapors evacuated from the gasoline tank before they reach the pump nozzle.
- EPA's Stage II vapor recovery program was required in approximately 40 areas, including ozone nonattainment areas and in the ozone transport region (OTR). The OTR includes twelve northeastern states and the District of Columbia. Stage II vapor recovery systems have provided significant air quality benefit, but are now becoming less effective.
- The Clean Air Act still requires states in the OTR to adopt and implement control measures that are capable of achieving emissions reductions comparable to those achievable by Stage II systems. EPA will provide guidance to OTR states to help them meet the independent "comparable measures" requirement, in light of this final ORVR widespread use determination.
- States that have implemented Stage II vapor recovery programs in ozone nonattainment areas may now revise their plans to attain and maintain ozone air quality standards seeking EPA's approval for gasoline service stations to remove their Stage II control equipment. EPA will provide guidance on calculating the emission impacts of removing this equipment.
- Removing Stage II control equipment will also eliminate expenses associated with operating Stage II systems. EPA estimates the potential national cost savings for facilities decommissioning Stage II vapor recovery systems to be over \$91 million annually.

- This final rule does not require states to remove their Stage II systems. It allows states to retain their Stage II requirements if so desired.
- The Administrator's finding that the use of ORVR is in widespread use throughout the highway motor vehicle fleet will be effective upon publication in the *Federal Register*.

## **BACKGROUND**

- The Clean Air Act allows the EPA to revise or waive certain requirements of the Stage II vapor recovery program in ozone nonattainment areas when the EPA Administrator finds that ORVR systems are in widespread use in the highway vehicle fleet.
- Over time, non-ORVR vehicles will continue to be replaced with ORVR vehicles. The ORVR control measure is expected to result in a significant decrease in emissions over time until all subject vehicle classes in the highway vehicle fleet are ORVR-equipped. Stage II and ORVR emission control systems are redundant, and, EPA has determined that ORVR emission reductions are essentially equal to and will soon surpass the emission reductions achieved by Stage II alone. By waiving the Stage II requirement, EPA is reducing regulatory burdens on the gasoline service station industry.
- The CAA required many ozone nonattainment areas to adopt Stage II systems in the early 1990's. The CAA also required automobile makers to add ORVR systems to automobiles and other vehicles in a phased approach starting in 1998. Since 2006, all new automobiles and light and medium duty cars, vans and trucks are equipped with ORVR.
- The EPA's Stage I air toxics rule limits emissions of hazardous air pollutants from gasoline distribution terminals nationwide. Stage I requirements remain in effect.

## **FOR MORE INFORMATION**

- To download this final rule from the EPA's website, go to Recent Actions at <http://www.epa.gov/ttn/oarpg/>
- Today's action and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
  - The Public Reading Room is located at EPA Headquarters, room number 3334 in the EPA West Building, 1301 Constitution Avenue, NW, Washington, D.C. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding Federal holidays.

- Visitors are required to show photographic identification, pass through a metal detector and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
  - Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2010-1076
- For further information about the final rule, contact Mr. H. Lynn Dail of EPA's Office of Air Quality Planning and Standards, at (919) 541-2363 or by email at [dail.lynn@epa.gov](mailto:dail.lynn@epa.gov).